

Damian Dudley #112183  
Case 2:11-cv-00387-SMM-LOA  
A.S. Lewis/Barechey  
P.O. Box 3200  
Buckeye, Az. 85326

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UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

Damian Dudley,  
Plaintiff,

v.

Captain Cesolini #A3347,  
Defendant.

No. CV-11-00387-PHX-SMM-LOA

DEFENDANT'S FIRST SET OF  
NON-UNIFORM INTERROGATORIES  
TO PLAINTIFF

To: Damian Dudley, Pro-per

PLEASE TAKE NOTICE that  
Defendant Captain Cesolini, through Counsel  
and pursuant to Rule 33, Fed. R. Civ. P.,  
hereby requests you to answer, in writing  
and under oath, within forty (40) days, the  
following Non-Uniform Interrogatories

NON-UNIFORM INTERROGATORIESINTERROGATORY NO. 1:

List any and all felony or misdemeanor offenses for which you have been arrested and/or convicted, including the date, the offense, whether it was a felony or misdemeanor, the location of the event, the facts and circumstances giving rise to each arrest and/or conviction, and if there was a conviction, the place(s) and duration of incarceration for the criminal sentence.

I am currently in prison for Kidnapping a class 2 Felony, Robbery a class 4 felony and Agg. Assault class 6 felony. I received 17 years this crime happened in May 2007 in phoenix.

In March 1995 I was sentenced to 13 years for burglary and \_\_\_\_\_ in the A.D.O.C. the crime happened in Phx. I spent 11 years and 8 months in prison

My crimes are too extensive to remember, especially specifics such as dates, offenses, location of the event, facts and circumstances giving rise to each arrest and/or conviction, the place(s) and duration.

I have a unarmed robbery conviction from Framingham Mass. I did 3 years in the Massachusetts Dept. of Corr. I received 6 years probation for a burglary in a Mass. Institute Technology dorm room.

I have many more convictions I cannot remember them all my criminal history dates back to 1988.

I am not refusing to answer these questions, I just can't remember them all off of the top of my memory.

1 INTERROGATORY NO. 2:

2 Have you ever been a party to a civil lawsuit? Yes If so, identify whether  
3 you were the plaintiff or a defendant, the cause number, nature of the plaintiff's claim, and  
4 when and in what court the action was commenced. Always the plaintiff. I  
5 can't remember the cause numbers, but I have had  
6 a few in the U.S. Dist. Court in Phx. (Judges McNamee &  
7 Anderson have "always" been my Judges).

8 I have some in Maricopa County Superior Court  
9 One case in Pinal County,  
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**INTERROGATORY NO. 3:**

Set forth in detail each and every fact and/or piece of evidence that supports your claim that Defendant illegally seized property during the cell "shakedown" on October 27, 2009, and set forth how such conduct constitutes a denial of due process.

*Objection: Relevance; vague and ambiguous; calls for an improper legal conclusion and not reasonably calculated to lead to the discovery of admissible evidence.*

1 **INTERROGATORY NO. 4:**

2 Set forth each and every cause of action asserted in your Amended  
3 Complaint against Defendant Captain Cesolini.

4 *Objection: Relevance; vague and ambiguous; calls for*  
5 *an improper legal conclusion and not reasonably cal-*  
6 *culated to lead to the discovery of admissable evidence.*  
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1 **INTERROGATORY NO. 5:**

2 Set forth in detail each and every fact and/or piece of evidence that supports  
3 your claim that you have suffered "\$25,000.00 for the loss and destruction of Plaintiff's  
4 property," "\$29,000.00 in Compensatory Damages," "\$41,000.00 in Nominal Damages."

5 *Objection: Relevance; vague and ambiguous; calls for an*  
6 *improper legal conclusion and not reasonably calculated*  
7 *to lead to the discovery of admissable evidence.*  
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1 INTERROGATORY NO. 6:

2 Set forth in detail each and every fact and/or piece of evidence that supports  
3 your claim that "\$25,000.00 in Punitive Damages" should be assessed against Defendant.

4 objection: Relevance; vague and ambiguous; calls for an  
5 improper legal conclusion and not reasonably calculated  
6 to lead to the discovery of admissible evidence.  
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**INTERROGATORY NO. 7:**

Have you ever provided testimony under oath in a deposition or trial? \_\_\_\_\_

If yes, list the date, location, form and nature of the testimony, and the cause number in which your testimony was given

~~Do~~

Objection: Relevance; vague and ambiguous; calls for an improper legal conclusion and not reasonably calculated to lead to the discovery of admissible evidence.



**INTERROGATORY NO. 8:**

Please list the name and address of any correctional facility in which you have been detained, housed or incarcerated, including any jail or prison, in state or out of state, and provide the dates of and reason for any such detainment, housing or incarceration.

Objection: Relevance; vague and ambiguous; ~~overbroad~~  
~~improperly stated~~ overbroad and not reasonably calculated  
to lead to the discovery of admissible evidence.

**INTERROGATORY NO. 9:**

Please list any and all disciplinary charges or violations you received while detained, housed, or incarcerated at any correctional facility, including but not limited to a ticket or write up from prison officials, and a description of what privileges were lost as a result of the disciplinary charges.

Objection: Relevance; overbroad and unduly burdensome; vague and ambiguous and not reasonably calculated to lead to the discovery of admissible evidence.

**INTERROGATORY NO. 10:**

At the time of trial do you intend to use or refer to any textbook, periodical or other publication during direct examination of your witnesses? Yes\* If your answer is in the affirmative, provide the citation for any text or periodical you intend to use.

Objection: Relevance; overbroad; vague and ambiguous and not reasonably calculated to lead to the discovery of admissible evidence \* Without waiving objections, information will be supplemented as it becomes available

**INTERROGATORY NO. 11:**

List specifically and in detail each and every exhibit, including impeachment materials, you propose to utilize at trial in this matter. This Interrogatory is directed both to exhibits you intend to use at trial and exhibits you may use.

objection: Relevance; overbroad; vague and ambiguous and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving objections information will be supplemented.

INTERROGATORY NO. 12:

List the names, addresses and phone numbers of any and all individuals that you intend to call as witnesses at trial.

Objection: Relevance; overbroad; vague and ambiguous and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving objections, information will be supplemented.

Dated this 26<sup>th</sup> day of June, 2011

Damian Dudley  
Damian Dudley, Plaintiff

one copy mailed this 26<sup>th</sup> day of June, 2011 to:

Attorney for the Defendant:

Amy L. Nguyen

Jones, Skelton & Hochuli, P.C.

2901 N. Central Ave, Suite 800

Phoenix, Az. 85012

Damian Dudley

Damian Dudley, Plaintiff

original & 2 copies of the foregoing mailed this 24 day of June, 2011 to:

Clerk U.S. Dist. Court

Sandra Day O'Connor U.S. Courthouse, Suite 130

401 W. Washington St. SPC-1

Phoenix, Az. 85003-2118

Damian Dudley

14 Damian Dudley, Plaintiff